

Notice of Allowability

Application No.

10/652,895

Examiner

Frantz F. Jules

Applicant(s)

INAKA ET AL.

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01262004.
2. ☒ The allowed claim(s) is/are 1-3.
3. ☒ The drawings filed on 08292003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>06242004</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

REASON FOR ALLOWANCE

1. Sazler, Kroner et al, and Hyler et al disclose various types of crawler traveling apparatus comprising a rubber crawler belt having a plurality of driving projections formed with a predetermined peripheral pitch on an inner peripheral face of the belt; a drive wheel rotatable when engaged with the driving projection of the crawler belt for driving the belt; and a plurality of free wheels rotatable for laterally guiding the driving projections under movement; wherein each of said driving projection has an upper half having an upper half lateral face portion and a lower half lateral face portion, having an erect inclination angle smaller than an erect inclination angle of the lower half lateral face portion. The free wheels each has an inner lateral face opposed to the driving projection, said inner lateral face having an inclined guide face having an inclination parallel to the upper lateral face portion of the driving projection. Kagrese discloses a crawler traveling apparatus comprising a rubber crawler belt having a plurality of driving projections formed with a predetermined peripheral pitch on an inner peripheral face of the belt; a drive wheel rotatable when engaged with the driving projection of the crawler belt for driving the belt; and a plurality of free wheels rotatable for laterally guiding the driving projections under movement; wherein each of said driving projection has an upper half having an upper half lateral face portion with no lower half portion. The free wheels each has an inner lateral face opposed to the driving projection, said inner lateral face having an inclined guide face having an inclination parallel to lateral face portion of the driving projection. However, none of the references of record suggests a crawler traveling apparatus, wherein the inner lateral face of the free wheel has an

inclined guide face having an inclination parallel to the lower half lateral face portion of the driving projection, and said inclined guide face has a height L3 shorter than a height L1 of the lower half lateral face portion in the manner defined in the instant claim 1 and in combination with other limitations of the claims. Therefore, claims 2-3, depending therefrom, are considered to be allowable.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz F. Jules whose telephone number is (703) 308-8780. The examiner can normally be reached on Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph S. Morano can be reached on (703) 308-0230. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frantz F. Jules

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Primary Examiner

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FFJ

August 26, 2004

FRANTZ F. JULES
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Frantz F. Jules', written over the printed name and title.